

June 4, 2013

SEC Provides Guidance on Conflict Minerals Disclosure

On May 30, 2013, the SEC issued twelve FAQs providing guidance on various aspects of Exchange Act Section 13(p), Rule 13p-1 and Item 1.01 of Form SD relating to disclosure regarding the use of conflict minerals from the Democratic Republic of the Congo or adjoining countries.

The FAQs are available here: <http://www.sec.gov/divisions/corpfin/guidance/conflictminerals-faq.htm>

Among other items addressed in the FAQs, the SEC clarified that the Form SD filing requirement is applicable to voluntary filers and that the failure to timely file a Form SD regarding conflict minerals does not cause an issuer to lose eligibility to use Form S-3.

For more information regarding disclosure of payments made to governments by resource extraction issuers, see our August 27, 2012 memorandum, "SEC Adopts Rules Under Dodd-Frank Requiring Disclosure Regarding Use of Conflict Minerals" available on our website at http://www.paulweiss.com/media/1153118/27-aug-12_sec.pdf

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This memorandum is not intended to provide legal advice, and no legal or business decision should be based on its content. Questions concerning issues addressed in this memorandum should be directed to:

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